

**Regular Session Minutes – Selectmen’s Meeting  
Selectmen’s Meeting Room, Town Hall  
Tuesday, February 10, 2015, 7:30 p.m.**

**PRESENT:** Margot R. Fleischman, Chair; William S. Moonan; Caroline Fedele; Michael A. Rosenberg; Mark Siegenthaler and Town Manager Richard T. Reed

**ALSO PRESENT:** Assistant Town Manager Jessica Porter; Victor Garofalo, Finance Director; Ben Thomas, Finance Committee; Jim Shea & Scott Counsell, Cable Television Committee; Sue Baldauf, Youth and Family Services Director; Robin Steele & Cathy Cordes, Community Preservation Committee; Michelle Saber; Scott Counsell, Bedford Cable Television Committee; Julie Turner & Joe Serra, Bedford TV; Joan Bowen, The Bedford Citizen; Lindsey Bullen, Administrative Assistant; Brian Dorrington, Bedford TV;

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Chair Fleischman called the meeting to order at 7:30 pm.

**15-193      Continued Public Hearing  
General Bylaw Amendment – Article 26 – Cable Television  
Committee**

**Mr. Rosenberg moved that the Selectmen reopen the public hearing for the proposed amendment to General Bylaw Article 26. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

Scott Counsell, a member of the Cable Television Committee, referred to a letter he submitted to the Selectmen that summarizes why he thinks the petition is a good idea for the Town and how it would further enhance the committee’s ability to provide service and guidance. Mr. Moonan asked Mr. Counsell what he foresees the committee doing in reality and how it would be different from what they do now. Mr. Counsell stated that the Cable Television Committee wants to be considered in the allocation of funds. The committee does not want to have a final say over how the funds are spent and believe it is not their role to have that kind of control. He used the term “watchful care” to explain the type of oversight the committee would like to have. He stated that the committee has a lot of expertise and he believes it would serve the Town well if the committee reviewed the allocations. He recognized that great strides have been made in the organization of the funds. Mr. Counsell believes that the committee can help monitor the funds and the various ways they are being allocated in order to make sure they last.

Julie Turner, Bedford TV President, explained that at a meeting of the Bedford TV staff and their Board, concern was raised that if another level of attention and oversight was added to the bill approval process, it would have a negative impact on efficiency.

**Mr. Rosenberg moved to close the Public Hearing. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

**15-194      Continued Public Hearing  
General Bylaw Amendment – Article 30 – Volunteer Coordinating  
Committee**

**Mr. Rosenberg moved to reopen the public hearing for the proposed amendment to General Bylaw Article 30. Mr. Siegenthaler seconded the motion.  
The motion passed 5-0-0.**

There were no comments from the public.

**Mr. Rosenberg moved to close the public hearing. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

**15-195      March 14, 2015 Election Warrant  
Approval**

Mr. Reed explained that most years, the election warrant is routine and lists all offices of the Town that are up for election. The warrant is special this year because there are ballot questions that have to be put before the registered voters of the Town for the charter amendments that were approved at Special Town Meeting. Each charter amendment that Special Town Meeting approved has been summarized by Town Counsel and represents what is considered under the law to be a fair summary.

The Selectmen suggested some typographic changes to the warrant to make it easier to read.

**Mr. Siegenthaler moved to approve the warrant for the Annual Town Election. Mr. Rosenberg seconded the motion.  
The motion passed 5-0-0.**

**15-196      Lexington/Bedford Veterans' Services District  
Inter-municipal Agreement Renewal**

Mr. Reed described the Veterans' Services District that was established between Bedford and Lexington a little less than two years ago and approved by the Massachusetts Department of Veterans' Services. The agreement was meant to expire at the end of June 2014 so the agreement presented is a renewal with a term of five years. There is nothing significantly different compared to the previous agreement. The previous agreement was for slightly under two years.

Youth and Family Services Director Sue Baldauf said that the agreement has been successful. A new district director, Gina Rada, is currently transitioning into the position. She has previous experience in Watertown and comes to the position with a lot of skills. Having the Veterans' Services District prepares the Town well for any changes that may be coming from the VA Hospital, such as the 70 bed expansion. The agreement has worked well and the staff from Bedford and Lexington work closely together.

Mr. Moonan asked whether a district has to be reestablished every time the contract comes to an end and if approval from the State is required every time. It was clarified that there are two separate agreements: one with the State that has to be approved every two years and one that is an inter-municipal agreement just with Lexington.

**Mr. Siegenthaler moved to approve the Inter-Municipal Agreement between Lexington and Bedford for the Veterans' Services District ending June 30, 2019. Ms. Fedele seconded the motion. The motion passed 5-0-0.**

#### **15-197 Proposed Community Preservation Budget**

Chairperson Cathy Cordes and Vice Chairperson Robin Steele of the Community Preservation Committee (CPC) were present to discuss the FY16 proposed budget, the six-year plan, and the Spring 2015 Program and Plan. Ms. Cordes explained that CPC is supposed to have a six year plan in place but it had not been updated for a while. This year, the committee made a concerted effort to get requests from committees, departments, and residents. There is currently not as much money to go around as before because three projects have been bonded.

Ms. Cordes went on to discuss the FY16 proposed budget. A correction was made to the FY15 budget because the committee appropriated more money than they had due to an accounting error. The committee is recommending to Town Meeting that money be moved out of affordable housing reserves to cover it because additional money was put in the affordable housing reserves in the fall. The Finance Department projected a 29% State match distribution from the CPA surcharge. This amounts to \$1,816,601 for the FY16 budget.

Ms. Cordes then reviewed the FY16 appropriations for Historic Preservation, Open Space, Affordable Housing, and Recreation. Under the Recreation Appropriations, there is a bike stand repair station for \$1,100 but that amount is actually expected to be less because of funds from a new program by MAPC for bike repair stations. Ms. Cordes also elaborated on the Washington Street Bridge which is a foot bridge that was recently condemned and urgently needs to be addressed. The new bridge will be located at the end of Washington Street and would cost \$175,000. CPC is recommending a \$600,000 appropriation for athletic field development. Although this amount is \$200,000 short from the \$800,000 requested, Ms. Cordes stated that these are just projections and do not mean that the funding cannot be found from other sources and the project could be funded over a two year cycle because of the amount

of work that will be done. The fourth Recreation Appropriation is resurfacing the Narrow Gauge Rail Trail with stone dust. The administrative costs appropriated are in accordance with the same standard that has been used for years. If these costs are not expended, they roll back into the fund for next year.

Ms. Cordes explained that in reference to the size of the Affordable Housing Reserves, projects in housing tend to be large ticket items so \$1,000,000 is not an exorbitant amount of money.

Finance Director Victor Garofalo stated that the Town Center project retires in FY21 and the open space on Concord Road in FY26. Mr. Siegenthaler suggested that it may be helpful to keep a running list of when projects retire and how many payments have been made to give context to the projects.

Mr. Siegenthaler also explained that the Washington Street bridge project mentioned earlier is replacing a privately located bridge with a bridge that is on public property. He believes it is important to note in the description of the project that public funds are being used to build a public bridge to enhance public access.

Ms. Cordes said CPC is excited to have the six year plan because people put a lot of effort into thinking of projects. The project submission sheet has been revised to include criteria for the applicants to address so it is clear to them what CPC is looking for and it makes it easier for CPC to review the projects.

Michelle Saber, 6 Abbott Lane, asked whether a request for funding for the replication of the wetlands accompanies the request for funding for the field development as she believes is required by the variance. Ms. Cordes said that part of the \$600,000 appropriation will be used for wetland replication.

**15-198      2015 Annual Town Meeting Warrant  
Review  
Article Recommendations**

Mr. Reed presented the Selectmen with an updated draft of the warrant that includes editorial changes and explained the changes. The Selectmen proceeded to review the draft warrant.

Article 2

**Mr. Rosenberg moved to recommend approval of Article 2- Debate Rules. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

Article 3

**Mr. Rosenberg moved to recommend approval of Article 3- Consent Article. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

#### Article 4

Mr. Reed explained that normally Article 4 is the reauthorization of the revolving funds but he thought it would be appropriate to amend the FY15 Cable Television revolving fund before reauthorizing the one for FY16. The Cable Television Committee recommended increasing the annual expenditure limitation to \$235,000 but Mr. Reed suggested \$250,000 to keep the number consistent over both years because the revolving fund line items are not usually increased every year so the hope is that the \$250,000 will last for a number of years. This would amend the amount that's allowed to be expended from the current \$200,000 limit to a new \$250,000 limit. The current contract with Bedford Community Access Television is for \$177,000 and there has been talk of transferring \$23,000 from the Cable Television Revolving Fund to the Facilities Revolving Fund for the cost of the space at Old Town Hall. There will also be capital expenditures related to the equipment needs of the contractor in FY16. The expenditure authorizations are just suggestions and that amount of money does not have to be spent.

**Mr. Siegenthaler moved to recommend approval of Article 4- Amend Cable Television Revolving Fund Expenditure Limit. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

#### Article 5

Mr. Reed explained that reauthorizing the revolving funds is required every year to keep the funds in existence. The only revolving fund that is changing is the one for cable television.

Mr. Moonan asked why the recreation revolving fund does not appear on the list and Mr. Reed explained that the recreation revolving fund was established by state legislature and doesn't operate under the same provision.

Mr. Reed explained that the law requires a certain amount of data to be reported to Town Meeting, such as the revenue and expenditure from the prior fiscal year and the current fiscal year.

Mr. Siegenthaler suggested that the balance of the funds be included on the chart because otherwise it looks like more money was spent than revenue was taken in. Mr. Reed explained that the chart was just meant to match what was required to be included by the statute. Mr. Rosenberg suggested just adding a sentence to explain this.

**Mr. Siegenthaler moved to recommend approval of Article 5- Reauthorization of Revolving Funds. Mr. Rosenberg seconded the motion.**

**The motion passed 5-0-0.**

Article 6

**Mr. Rosenberg moved for the Selectmen to make a recommendation at Town Meeting for Article 6- Bills of Prior Year. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

Article 7

**Mr. Rosenberg moved to recommend approval of Article 7: General Bylaw Amendment- Volunteer Coordinating Committee. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Article 8

The Selectmen postponed deciding on their recommendation for Article 8 until the next meeting once they receive input from Town Counsel.

Article 9

Mr. Moonan notified the Selectmen that the Chamber of Commerce suggested that the Selectmen petition for between four and ten additional licenses. A discussion ensued about licenses that allow patrons to bring their own alcohol into restaurants. Mr. Moonan stated that he still thinks there needs to be a reason behind the number they will petition for and more information about why that number is suggested.

Ms. Fleischman wanted clarification of the wording of Section 4 as it currently makes it seems like the license would have to be reissued to the same location if it was returned to us and would not be available to another location. Mr. Reed explained that the section is intended to prevent the license from becoming a commodity that has value because in some municipalities licenses are sometimes sold with the business. Changes to the language were suggested that would clarify the intention of the section.

**Mr. Rosenberg moved for the Selectmen to make a recommendation at Town Meeting for Article 9- Home Rule Petition for Additional Alcoholic Beverage Licenses. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Article 10

Mr. Reed reminded the Selectmen that at the 2014 Annual Town Meeting, the sewer force main replacement was bonded. The project has been executed and now there is an outstanding bond authorization balance for \$211,653 of the \$1,861,429 borrowed. The amount needs to be rescinded and was recommended by the Town's financial advisors.

**Mr. Rosenberg moved to recommend approval of Article 10- Rescind Remaining Unused Portion of 2014 Bond Authorization for Bedford Street Sewer Force Main Improvement. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Article 11

**Mr. Moonan moved to recommend approval of Article 11- Bond Authorization- Bedford Street Sewer Force Main Improvement. Ms. Fedele seconded the motion. The motion passed 5-0-0.**

Article 12

**Mr. Rosenberg moved to recommend approval of Article 12- Amend Capital Project 09-17 Water Standpipe Painting and Preparations. Mr. Siegenthaler seconded the motion. The motion passed 5-0-0.**

Article 13

The Selectmen agreed to wait to vote on their recommendation until the next meeting when the proposed budget is ready.

Article 14

**Mr. Rosenberg moved to recommend approval of Article 14- Amend FY2015 Community Preservation Budget. Mr. Moonan seconded the motion. The motion passed 5-0-0.**

Article 15

**Mr. Rosenberg moved to recommend approval of Article 15: Community Preservation Budget- Fiscal Year 2016. Ms. Fedele seconded the motion. The motion passed 5-0-0.**

Article 16

**Mr. Siegenthaler moved for the Selectmen to make their recommendation at Town Meeting for Article 16: Supplement Operating Budget for Fiscal Year 2015 and Articles of the 2014 Annual Town Meeting. Mr. Rosenberg seconded the motion. The motion passed 5-0-0.**

Article 17

Mr. Reed stated that there was an error in the formula for the student police officer rate and student firefighter and call rate, but the new version of the draft has the corrected amounts.

**Mr. Rosenberg moved for the Selectmen to recommend approval of Article 17- Salary Administration Plan Bylaw Amendment- Classification & Wage Schedule. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

Article 18

Mr. Reed explained that the Selectmen budget was presented last week to the Finance Committee and that the Finance Committee will discuss all the budgets this week. During the presentation, questions arose about the possible utilization of the revolving fund to put towards department budgets. There is some sentiment on the Finance

Committee to potentially consider using the Recreation Revolving Fund to reduce the Selectmen operating budget.

A discussion ensued about the Recreation Revolving Fund. The Selectmen expressed concern that the budget would become reliant on using the revolving funds but understand that it is an option to close the gap. Mr. Reed explained that salaries for the teen program could be subsidized whereas now they are partially funded out of the tax levy. Before deciding this, the Selectmen want to have a conversation with the Recreation Commission to see what their vision is for the money. Ms. Fedele offered insight as the liaison. She said that the Recreation Commission has been hesitant to approve any project that requires a lot of money because they were waiting on a big project such as Springs Brook Park. Now that Springs Brook appears to be going in a different direction, they have started to look at smaller projects, such as how to accommodate the increase in population at Kids' Club.

#### Article 18

The Selectmen will wait until next week to vote on their recommendation for Article 18- Operating Budgets- FY16.

#### Article 19

The Selectmen will wait until next week to vote on their recommendation for Article 19- Ambulance Enterprise Budget- FY16 because they will have the budget at that time.

#### Article 20

The Selectmen will wait until the next meeting to vote on their recommendation for Article 20- Salary Plan Additional Funding so they can review a previous memo from Mr. Reed that explains the funds. Mr. Siegenthaler requested a summary that would explain the cumulative impact of the funding over the past five or six years.

#### Article 21

**Mr. Rosenberg moved for the Selectmen to recommend approval of Article 21- Other Post-Employment Benefits Liability Trust Fund Appropriation. Ms. Fedele seconded the motion.**

**The motion passed 5-0-0.**

#### Article 22

**Mr. Siegenthaler moved for the Selectmen to recommend approval of Article 22- Supplement Accrued Sick Leave Fund. Mr. Moonan seconded the motion.**

**The motion passed 5-0-0.**

#### Article 23

**Mr. Moonan moved for the Selectmen to make a recommendation at Town Meeting for Article 23- Stabilization Fund Appropriation. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

Article 24

**Mr. Moonan moved for the Selectmen to make a recommendation at Town Meeting for Article 24- Free Cash. Mr. Siegenthaler seconded the motion.**

**The motion passed 5-0-0.**

**15-199                      Town Manager's Report**

Mr. Reed had no new items to update the Selectmen on at this time.

**15-200                      Open Discussion and Selectmen Liaison Reports**

Mr. Rosenberg reminded the Selectmen about making sure the changes to the intersection at North and Chelmsford Road project keeps moving forward. No RFP has been put out for an engineering firm yet. He also notified the Selectmen that MassPort will be presenting their strategic plan for Hanscom at the Hanscom Area Towns Committee (HATS) meeting on February 26 in Lincoln.

Mr. Rosenberg will attend the Finance Committee meeting on February 12<sup>th</sup> as Mr. Moonan is unable to attend.

The Selectmen's upcoming meeting schedule is February 17, March 2, and March 16th.

Ms. Fleischman stated that she will be attending the Zoning Board of Appeals meeting on Thursday where Red Heat Tavern will be seeking a special permit. All of the concerns about the restaurant, such as outdoor noise, will be taken into consideration by the ZBA. She clarified that even though the building will appear as an addition onto the Marshall's building, it is actually deemed a new building from a technical standpoint because it is disconnected.

**Mr. Moonan moved to adjourn the meeting. Ms. Fedele seconded the motion.  
The motion passed 5-0-0.**

**The meeting adjourned at 9:19 p.m.**